

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALLSTATE INSURANCE COMPANY,

Plaintiff,

vs.

Case No. 16-cv-10290
HON. GERSHWIN A. DRAIN

SUPERIOR DIAGNOSTICS, INC., d/b/a
SUPERIOR IMAGING,

Defendant.

_____ /

**ORDER FINDING DEFENDANT'S MOTION TO DISMISS COMPLAINT
[#9] MOOT AND RESCHEDULING HEARING ON MOTION TO DISMISS
FIRST AMENDED COMPLAINT FOR AUGUST 11, 2016 AT 11:00 A.M.**

On February 29, 2016, Defendant filed a Motion to Dismiss Plaintiff's Complaint. The Court set the hearing for Defendant's Motion for June 21, 2016. *See* Dkt. No. 9. In lieu of responding to Defendant's Motion to Dismiss, Plaintiff filed a First Amended Complaint. On May 24, 2016, Defendant moved for dismissal of Plaintiff's First Amended Complaint. *See* Dkt. No. 14.

Accordingly, Defendant's Motion to Dismiss Complaint [#9] is MOOT. Additionally, to accommodate the briefing schedule set forth in the Court's local rules,

the June 21, 2016 hearing will need to be rescheduled. *See* E.D. Mich. L.R. 7.1(e)(1)(B)-(C). The hearing on Defendant's Motion to Dismiss First Amended Complaint shall be heard on Thursday, August 11, 2016 at 11:00 a.m.

SO ORDERED.

Dated: June 13, 2016

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of
record on
June 13, 2016, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk